(1.) (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION No. OF 2006

PETITIONER :- Smt.Asha Singh, wife of Shri B.K.Singh, aged about 42 years, resident of Pandariya, presently posted at Government Higher Secondary School, Pandariya, Dist: Kabirdham (C.G)

P.R. No. 3585/06
Presented by Shri Sailesh Ahuja
dated 13/7/06

Vs.

RESPONDENTS :-

1. State of Chhattisgarh:through: Secretary, School Education Department, D.K.Bhawan, Raipur (C.G).

2. District Educational Officer, Dist: Kabirdham (C.G)

3. Block Education Officer, Block: Pandariya, Dist: Kabirdham (C.G).

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P. No. 3523/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19.7.2006

Heard Dr. Shailesh Ahuja, Advocate for the petitioner.

Shri Sumesh Bajaj, Government Advocate for the respondents/State on advance copy.

The main grievance raised by the petitioner in this petition is that the petitioner is not being given the similar treatment as has been given to the similarly situated teachers.

By this petition the petitioner prays for a direction to the respondent authorities to treat the case of the petitioner at par with the similarly situated teachers as far as the regular pay scale, benefits, claims and other allowance are concerned. The case of the petitioner is that she was appointed as Assistant Teacher on 17.9.1993 (Annexure P-1) and presently she is working in the Higher Secondary School, Pandariya, District Kabirdham. She was kept on probation for a period of two years and allowed to draw the pay scale of Rs.1400-2640/-. In her appointment letter it was mentioned that she will be entitled for annual increment on completion of one year service. After completion of probation period, the petitioner's services were regularized under order-dated 17.9.1995 (Annexure P-2). Similarly situated teachers aggrieved by not getting the benefits in accordance with terms and conditions mentioned in the appointment order filed a writ petition bearing W.P. No.1890/03 stating that during the probation period they were not being paid the allowances like D.A., HRA, annual increments and other benefits as per revised scheme of 1997 and this Court vide order dated 6.4.2005 directed the respondents to consider the case of the petitioners. The petitioner herein also submitted representation on 13.4.2006 and thereafter on 24.5.2006 but so far nothing has been heard from the side of respondents.

I have heard learned counsel for the parties.

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

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	Learned counsel for the petitioner submitted that the petitioner may be allowed to make a fresh representation to respondent No.2 to give similar treatment to the petitioner and the same pay scale which has been sanctioned to other similarly situated teachers on account of the order of the State Administrative Tribunal dated 31.1.2000, to which learned counsel for the State has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation along with copy of this petition to respondent No.2 within a period of two weeks from today and in turn respondent No.2 shall decide the representation of the petitioner in an objective manner within a period of 30 days from the date of receipt of representation after considering all the points raised by the petitioner and taking into account the order dated 31.1.2000 passed by the State Administrative Tribunal in O.A. No.1452/98 and if the petitioner stands on the same footings, as the petitioners in O.A. No.1452/98, then she be also sanctioned the same pay scale and seniority. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.2725/06 and I.A. No.6886/06 also stand disposed of. Certified copy as per rules. **Sd/-** **L.C. Bhadoo** **Judge**	

P.T.O.